

REMARKS

Claims

Claims 1, 2, and 5-29 are pending. The claims have been amended. No new matter has been added.

Section 103 Rejection

Claims 1, 2, and 5-29 are rejected under 35 U.S.C. §103(a) as being unpatentable over Dandurand ("Market Niche Analysis In the Casino Gaming Industry," Journal of Gambling Studies, Vol. 6(1), Spring 1990) in view of Sheppard (U.S. Patent No. 6,026,397) in view of Acres (U.S. Patent Application Publication No. 2006/0183529).

None of the cited references describe or suggest that a difference among a plurality of attributes is based on a plurality of voice commands that are received via a player tracking unit as called for, for example, by amended claim 1. Rather, as acknowledged by the Examiner, Dandurand does not disclose a player tracking unit. Dandurand discloses a niche profile of Las Vegas slot market. The profile includes gender, age, race, marital status, education, residence, household income, and other variables. None of these variables describe or suggest voice commands as called for by claim 1.

Moreover, Sheppard discloses a plurality of parameters, such as socio-demographic characteristics, behavioral characteristics, age, gender, and marital status. None of these parameters describe or suggest voice commands as called for by claim 1.

Furthermore, Acres is not cited as describing voice commands. Rather, Acres is cited to describe use of a card and a card reader for player tracking.

For example, the cited references do not describe or suggest:

comparing, by a central processing unit of the player tracking system, the selected attributes associated with each of the first subset of individuals with the selected attributes associated with others of the first subset of individuals to determine at least one difference among the plurality of attributes according to which the first subset of individuals may be divided into a further subset of individuals, the at least one difference determined based on the plurality of attributes received via the player tracking system and a plurality of voice commands received via the player tracking unit

as recited in amended claim 1. The specification provides examples of the recitation of “the at least one difference determined based on . . . a plurality of voice commands received via the player tracking unit” as follows:

It will be understood that the specific systems and mechanisms by which player tracking data may be generated and collected vary widely and are not particularly relevant to the present invention. However, for illustrative purposes, an exemplary player tracking system in which various specific embodiments of the present invention may be implemented will now be described with reference to Figs. 1 and 2 . . . The player tracking unit may include a memory 217 configured to store . . . voice recognition software for receiving voice commands from the microphone 207 . . . In some embodiments, the player tracking functions may be implemented by both the logic device 210 and the master gaming controller 104. For instance, the master gaming controller may execute voice recognition software to interpret voice commands input from the microphone 207 . . . The player tracking data generated and collected using the exemplary system of Figs. 1 and 2 may include, for example, each player’s name, age, geographical region, gender, income, frequency of play, favorite day to play, favorite time to play, average amount bet, speed of play, total amount played, game preference, entertainment preference, cuisine preference, beverage preference, birth date, etc. It should be noted that this list of attributes is not exclusive and that embodiments of the invention are contemplated which relate to or employ different combinations of these attributes as well as any additional attributes relating to a player’s demographic profile or gaming behavior . . . Regardless of what attributes values and attribute relationships are used, once the gaming DNA attributes and/or relationships for a particular analysis are selected, a particular value or set of values for one or more of these attributes is used to form a traditional query (304) which is then applied to the player tracking database to retrieve a first subset of the specific individuals represented in the database corresponding to that value or set of values and attribute

relationships (306) . . . Referring back to Fig. 3 and according to a specific embodiment, the gaming DNA of the individuals identified in 306 are analyzed to identify one or more differences by which this first subset of individuals may be further subdivided (308). Each such difference may be referred to herein as a single relational polymorphism or SRP . . . The phrase “Single Relational Polymorphism” as used herein represents a single relationship of data attributes which is different, or has changed, for an individual or subset of individuals from that set of data attributes that exists for a larger group or superset of individuals.

(page 6, lines 13-17; page 9, lines 9-14; page 11, lines 4-7; page 14, lines 3-7; page 15, lines 11-17; page 16, lines 21-24; page 17, lines 8-11). Accordingly, the specification discloses that a voice command is interpreted to perform player tracking and such player tracking is performed to identify at least one difference among attributes to generate a single relational polymorphism. Thus, the specification provides an example of the recitation of “the at least one difference determined based on . . . a plurality of voice commands received via the player tracking unit” as called for by amended claim 1.

The Examiner, as noted, acknowledges that Dandurand “does not explicitly disclose a player tracking system from which user attributes can be received” (Office Action, page 6).

Additionally, Dandurand discloses that:

The Profile Study was based on personal interviews of 3,200 visitors to Las Vegas during the period July 1, 1985, thru June 30, 1986. A proportional multi-stratified quota and systematic sample was used to scientifically select visitors for the sample. The self-administered questionnaire contained direct, non-disguised, and structured questions regarding visitor behavior, expenditures, attitudes, and socio-demographics. In that year 74% of the visitors were active in the Las Vegas casino slot market.

Dandurand and Ralenkotter (1988) used the database of the 1986 Las Vegas Visitor Profile Study in their analysis of the Las Vegas Slot Market. Data for this example are taken from their analysis. Table 1 indicates the size of the premium niche and the niche structure of the Las Vegas Slot Market based on the size of the slot gaming budget.

Table 1
Niche Structure of the Las Vegas Slot Market

| <i>Slot Gaming Budget*</i> | <i>Name of Niche</i> | <i>Percent of Visitor Market</i> | <i>Percent of Slot Market</i> |
|----------------------------|----------------------|----------------------------------|-------------------------------|
| < \$100 | Economy | 12 % | 16 % |
| \$100-\$500 | Moderate | 54 | 72 |
| > \$500 | Premium | 8 | 12 |
| TOTALS | | 74 % | 100 % |

*Note: The size of the party trip slot gaming budget is used in a deductive approach to define the market niches.

The premium niche is the smallest niche in the Las Vegas Slot Market. This niche constitutes 8% of the visitor market and 12% of the slot market. This is equivalent to approximately 1.3 million person-trips for Calendar Year 1987. Table 2 presents the premium niche profile for the Las Vegas Slot Market. The niche profile is composed of selected variables taken from the Las Vegas Visitor Profile.

An examination of the premium niche profile suggests that a premium slot player tends to be an older, white, married, female from the West who is staying at a hotel on the Strip (South Las Vegas Boulevard Area) and who gambles Downtown (Las Vegas Boulevard and Fremont Street Area). She has a relatively low educational level (more than 50% have less than a college degree) and comes from a household of relatively modest income (more than 50% have less than \$50,000). She decides where she is going to stay before leaving home and plans her trip more than 30 days in advance. She stays about 4½ days and travels with one or more people. Her party spends about \$178 per day for non gaming expenses (\$68 per person) and budgets about \$2,404 for gambling for the trip (\$210 per person per day). Her average bet on the electronic slots is about \$2.00.

Table 2
Premium Niche Profile of the Las Vegas Slot Market

| <i>Selected Variables*</i> | |
|--|---------|
| Female (Sex) | 56% |
| Over 44 (Age) | 59% |
| White (Race) | 76% |
| Married (Marital Status) | 78% |
| Elementary, High School, or Some College (Education) | 73% |
| West (Residence) | 57% |
| Less than \$50,000 (Household Income) | 65% |
| Automobile (Mode of Transport) | 50% |
| Strip (Lodging Location) | 69% |
| Hotel (Lodging Type) | 83% |
| Used Travel Agent (Booking) | 50% |
| Lodging Selection (Decided Before Leaving Home) | 96% |
| Advance Planning (More than 30 Days Before) | 59% |
| Gambled Downtown (Areas Gambled) | 59% |
| Length of Stay (Days) | 4.4 |
| Party Size (Persons) | 2.6 |
| Gambling Budget (Party Trip Total) | \$2,404 |
| Average Bet (Electronic Slots) | \$2.08 |
| Non-Gaming Expenditures (Daily Per Party) | \$178 |

*Note: All of the selected variables are statistically significant (across premium-moderate-economy slot players) at the 5% level using either chi-square analysis or ANOVA as appropriate. The data were generated through the Las Vegas Visitor Profile Study for Fiscal Year 1986. In that year 74% of the visitors were active in the Las Vegas casino slot market.

(pages 81-83). None of the variables disclosed in Dandurand describe or suggest voice commands as called for by amended claim 1.

Moreover, Sheppard discloses that:

[a]n additional technical advantage of the present invention is that it may be used . . . to profile customer groups to identify socio-demographic or behavioral characteristics within the customer groups. It also provides for identifying significant associations between customer behavior, lifestyle, or attitudinal features, and may be used to identify significant associations between customer purchase preferences . . . Data analysis system 10 is particularly beneficial in analyzing customer databases that include information on the types of products purchased, frequency of purchase, quantity of purchase, and other general information on customers, e.g., age, gender, marital status, etc . . . For example, when the data file contains customer information, the cluster

parameters may be age, gender, income, or whatever parameter is desirable . . . It is invariably the case, however, that these customer groups will have different lifestyle, attitude, and behavioral characteristics . . . In the customer database example, the parameters to be predicted may include, for example, mail responsiveness, credit risk, profitability, etc. Also at step 366 the parameters that the predictions are to be based on are specified, e.g., age, income, etc.

(col. 2, lines 28-37; col. 5, line 67-col. 6, line 5; col. 12, lines 40-47; col. 14, lines 16-18; col. 21, lines 33-37). None of the parameters in Sheppard disclose voice commands as called for by amended claim 1.

Furthermore, Acres was cited as disclosing “using a card and card reader that can be used for tracking player activities and attributes and also a network and server that the card and card reader information is sent to for the profiling and tracking purposes” (Office Action, page 11). Acres does not describe or suggest voice commands as called for by amended claim 1.

Hence, for at least these reasons, Applicants respectfully submit that amended claim 1 would not have been obvious in view of the cited references.

Moreover, for at least the same reasons, amended independent claims 18, 21, 24, and 27 would not have been obvious in view of the cited references.

The various dependent claims include the limitations of the corresponding amended independent claims on which they are based. Accordingly, the dependent claims would not have been obvious for at least the same reasons as the independent claims.

Thus, for at least the reasons set forth above, Applicants respectfully request that the Section 103 rejection of claims 1, 2, and 5-29 be withdrawn.

Conclusion

In view of the foregoing, Applicants believe all claims now pending in this application are in condition for allowance. Early favorable consideration of this Amendment is earnestly solicited and Applicants respectfully request that a timely Notice of Allowance be issued in this case. If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at (510) 663-1100.

Respectfully submitted,

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